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# Report of the Special Rapporteur on the right to education, Kishore Singh

**Addendum**

## Mission to Algeria*, **

*Summary*

The present report consists of the analysis and conclusions of the Special Rapporteur on the right to education following an official mission that he undertook to Algeria, at the invitation of the Algerian Government, from 27 January to 3 February 2015.

The realization of the right to education in Algeria has been remarkable in many respects. The Government's educational policies and programmes have yielded positive results: school enrolment rates are excellent, education is provided free of charge at all levels and gender parity at all levels has been largely achieved. Algeria accordingly has a very high rate of attainment of the Education for All goals and the Millennium Development Goals, particularly goal two on universal primary education and goal three on gender parity in access to education. Furthermore, the infrastructure for providing education is well in place.

Considerable budgetary resources are allocated to education in Algeria: it was second only to national defence among national budgetary priorities, with 16 per cent of the national budget, in 2014.

In 2003, reforms were undertaken with the aim of improving the quality of education by overhauling teaching methods, improving the quality of teaching staff and restructuring the school curriculum.

* The summary of the present report is circulated in all official languages. The report itself, contained in the annex to the summary, is circulated in the language of submission and in English only.

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However, Algeria faces a number of challenges with respect to the realization of the right to education. The main challenge the country faces is the quality of education. The general standard of education needs to be raised as a matter of urgency.

In addition, the educational system is faced with high rates of school dropout and grade repetition and classroom overcrowding. Enrolment rates are sometimes lower in certain regions, in rural areas and in the poorest households. Ensuring equal opportunities in access to education for children with disabilities is still a challenge for the Government. It is also confronted with a perceptible decline in the teaching of Tamazight.

Moreover, Algeria lacks the legal framework to guarantee that a minimum proportion of the national budget is allocated to education. Lastly, the challenge of strengthening and enhancing the social and cultural value of vocational education and training is particularly acute.

At the end of the present report, the Special Rapporteur makes recommendations designed to improve the realization of the right to education in Algeria.

# Annex

[*English and French only*]

## Contents


| | | *Paragraphs* | *Page* |
|---|---|---|---|
| I. | Introduction | 1–5 | 4 |
| II. | Legal framework for the right to education in Algeria | 6–10 | 4 |
| III. | Institutional framework for the right to education in Algeria | 11–12 | 6 |
| IV. | Profile of the education system | 13–29 | 6 |
| | A. National education | 14–21 | 6 |
| | B. Higher education | 22–24 | 7 |
| | C. Vocational education and training | 25–29 | 8 |
| V. | Achievements and progress made | 30–43 | 9 |
| | A. Educational policies and strategies in Algeria | 31–32 | 9 |
| | B. Funding for education | 33–34 | 10 |
| | C. Access to education | 35–38 | 10 |
| | D. Literacy | 39–41 | 11 |
| | E. Enjoyment of the right to education by persons in detention | 42–43 | 12 |
| VI. | Key challenges | 44–57 | 12 |
| | A. Quality of education | 44–46 | 12 |
| | B. Legal framework for education funding | 47 | 13 |
| | C. Vocational education and training | 48–49 | 13 |
| | D. Universal access to education and equality of opportunity | 50–57 | 13 |
| VII. | Conclusions and recommendations | 58–71 | 15 |

# I. Introduction

1. The Special Rapporteur on the right to education, Kishore Singh, conducted an official visit to Algeria from 27 January to 3 February 2015. The purpose of the visit was to assess the implementation of the right to education in the country and the achievements and progress made, as well as the impediments to the full realization of this right.

2. During the mission, the Special Rapporteur met with the national authorities at the highest level, including: the Minister of Education, the Minister of Higher Education and Scientific Research, the Minister for Vocational Training, the Minister of Youth and the Secretary General of the Ministry of Foreign Affairs. He was able to hold discussions with senior officials from the Ministry of Religious Affairs and Endowments (*waqfs*), the Ministry of Justice, the Ministry of National Solidarity, the Family and the Status of Women, the Ministry of Finance and the Ministry of Labour, Employment and Social Security. The Special Rapporteur travelled to the *wilaya* of Tipaza, where he met with local officials, including the Wali of this province.

3. The Special Rapporteur also met with two parliamentary committees, of the National People's Assembly and the Council of the Nation, both of which are known as the Committee on Education, Higher Education, Scientific Research and Religious Affairs; with the President and members of the National Advisory Committee for the Promotion and Protection of Human Rights; and with staff of the Office of the High Commissioner on Amazigh Status and the National Office for Adult Literacy and Education.

4. The Special Rapporteur also visited institutions responsible for primary and secondary education and technical and vocational training. For instance, in Algiers he visited the Cheikh Bouamama primary and secondary schools, the Cheikh Sahnouni Koranic School and the national institute specializing in vocational training at Beaulieu. The Special Rapporteur also met the Rector of the University of Algiers 1. At Tipaza, he visited a centre for children with mental disabilities in the Bou Ismail community as well as a primary school in the rural area of Menaceur. During the school visits, the Special Rapporteur spoke with teachers and pupils. He met with the teachers at the Kouba Teacher Training College in Algiers. He met with civil society organizations and many other stakeholders, including the United Nations Resident Coordinator and country team.

5. The Special Rapporteur would like to convey his appreciation to the Government of Algeria for its invitation as well as for its support and cooperation, both during the preparations for the mission and during his visit. He would also like to thank the authorities and everyone who agreed to meet with him. Lastly, he is particularly grateful for the support he received from the United Nations Resident Coordinator and country team in Algeria.

# II. Legal framework for the right to education in Algeria

6. The right to education is set out in the Constitution of the People's Democratic Republic of Algeria of 1963, as amended in 2008. Under article 53 of the Constitution, the right to education is guaranteed, education is provided free of charge under conditions set by law, primary school education is compulsory, the educational system is organized by the Government and the Government ensures equality of access to education and to vocational training.

7. Algeria has ratified several international human rights instruments containing provisions on the right to education. The treaties ratified by Algeria take precedence over domestic law (article 132 of the Constitution). Thus, at the universal level, Algeria is party to such instruments as the International Covenant on Economic, Social and Cultural Rights; the Convention on the Rights of the Child; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention on the Rights of Persons with Disabilities; and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. On the other hand, Algeria is not yet a party to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. At the regional level, Algeria is a party to the African Charter on Human and Peoples' Rights, the African Charter on the Rights and Welfare of the Child and the Arab Charter on Human Rights.

8. The right to education is also governed by a body of legislation and regulations. Legislation of note includes Act No. 08-04 of 23 January 2008, an Outline Act on national education. The Outline Act places the pupil at the centre of educational policy (art. 7) and assigns to schools, among other tasks, the role of providing an education that is in harmony with the rights of the child and human rights and of developing a culture of democracy by ensuring that pupils learn the principles of debate and dialogue and how to accept the majority view, reject discrimination and violence and give pride of place to discussion (art. 5). According to the provisions of the Outline Act, the State guarantees the right to education to all Algerians, without discrimination based on sex or social or geographic origin (art. 10). Education is obligatory for all boys and girls from the ages of 6 to 16 years (art. 12) and it is free at all levels in all national educational institutions in the public sector (art. 13). Equality of opportunity is defined in article 11, which states that the right to education is given effect through universal elementary education and by the guarantee of equal opportunities with regard to conditions of schooling and continuation of studies after basic education. Act No. 08-06 of 23 February 2008, which amends and updates Act No. 99-05 of 4 April 1999, the Outline Act on higher education, as well as Act No. 08-07 of 23 February 2008, an Outline Act on teacher training, are among the important laws on this subject. School attendance of children with disabilities, which is enshrined in the Constitution of Algeria, is also set out in the Outline Act on national education, No. 08-04 of 23 January 2008, article 14 of which stipulates that the Government must ensure that children with special needs must benefit from the right to education and that the national education sector, in liaison with hospitals and other establishments, must ensure that appropriate pedagogical services are provided for schoolchildren with disabilities and chronic illnesses and that they are fully integrated into the educational system.

9. Many decrees and ministerial orders also contribute to the implementation of the right to education in Algeria, including: (a) order No. 05-07 of 23 August 2005, which sets out the general rules regulating teaching in private educational and teaching institutions; (b) Executive Decree No. 08-315 of 11 October 2008 on the special status of civil servants in certain national educational sectors; (c) Executive Decree No. 08-287 of 17 September 2008, which sets out the conditions for establishing, organizing, operating and supervising early childhood facilities and centres (for children aged under 5 years); and (d) an interministerial decree of 13 March 2014, setting out the measures for opening special classes for children with disabilities in educational institutions and public teaching facilities within the national educational sector.

10. The existence of this legislation is a positive sign. The Special Rapporteur notes with satisfaction that school pupils are placed at the heart of the 2008 Outline Act on national education and that importance is accorded in the education system to human

rights, democracy and peace and to the values of respect for others and tolerance. He notes, however, the absence of legal provisions guaranteeing that the right to education may be enforced and the fact that the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights has not been ratified.

## III. Institutional framework for the right to education in Algeria

11. Education is within the purview of several high-level State institutions. The main governmental ministries responsible for education are the Ministry of National Education, the Ministry of Vocational Training and Education and the Ministry of Higher Education and Scientific Research, each of which administers and manages the sector under its authority according to a structure and modalities laid down in the pertinent legal texts. Other ministries support the Government's efforts to implement the right to education. These include the Ministry of Religious Affairs and Endowments (*waqfs*), which is responsible for promoting Islamic education and culture, the Ministry of National Solidarity, the Family and the Status of Women, responsible for the autonomy and educational, social and professional integration of persons with disabilities, the Ministry for Youth Affairs and the Ministry of Justice.

12. In Parliament, educational matters are dealt with by two committees of the National People's Assembly and the Council of the Nation, both of which are known as the Committee on Education, Higher Education, Scientific Research and Religious Affairs. The National Advisory Commission for the Promotion and Protection of Human Rights also helps to monitor the implementation of the right to education throughout the country.

## IV. Profile of the education system

13. The Algerian system of education focuses on the public sector, although individuals and private-law entities are permitted to open private educational institutions, subject to the approval of the Ministry of National Education. Private educational institutions are required to follow the official Algerian curricula, but with a window of three to five hours per week in which they can organize any other activity not included in the official syllabus. Order No. 05-07 of 23 August 2005, which establishes the general rules on education in private educational institutions, provides a framework designed to ensure that education remains a public good and to safeguard public interests in that area.

### A. National education

14. In accordance with article 27 of the Outline Act on national education of 2008, the national education system is divided into the following levels: preschool education; basic education, which consists of primary education and lower secondary education; and general and technical secondary education.

#### 1. Preschool education

15. Preschool education, for children aged 5 to 6, is provided in preschools and kindergartens and at classes for children offered in primary schools. Although preschool education is not compulsory, the Government is working with other actors, including the private sector, to make it more generally accessible, in accordance with the provisions of the Outline Act on national education of 2008.

16. Preschool provides a basic foundation for the child's education and prepares children for primary schooling by giving them learning opportunities and a chance to develop their physical, intellectual, creative and social skills. It aims to foster the development of their personalities, to awaken their sense of aesthetics and to develop their sensory and motor skills; to instil good habits that prepare them for community life; and introduce them to reading, writing and arithmetic.

### 2. Basic education

17. Basic education lasts nine years and comprises primary and lower secondary school. It is the largest educational subsector, insofar as this stage of schooling is compulsory for all children aged 6 to 16. Basic education provides all pupils with a common educational foundation to give them the knowledge and essential skills that will enable them to continue their schooling at the next level, to pursue vocational education or training or to move towards employment.

18. Primary education lasts for five years and is taught in primary schools. Completion of primary school is confirmed by a final exam enabling those who pass to receive a certificate. Progression from primary school to lower secondary school is based on the results of this exam and continuous assessments.

19. Lower secondary education, which lasts for four years, is provided in middle schools. Completion of lower secondary education is confirmed by a final exam enabling those who pass to receive a diploma called the lower secondary school certificate (*brevet d'enseignement moyen*). Pupils in their fourth year of lower secondary school who graduate go on to upper secondary education, according to their abilities. Graduation from lower to upper secondary school is based on the results of this exam and continuous assessments. Pupils who are not admitted to upper secondary school may either pursue vocational training or seek employment once they have reached the age of 16.

### 3. General and technical upper secondary education

20. Upper secondary education comprises general and technical upper secondary education. It is provided in upper secondary schools and lasts for three years. The first year consists of core curricula, divided into an arts branch and a science and technology branch. Beginning in the second year, education is divided into a general orientation and a technical orientation, linked by a bridging system allowing pupils to reorient their studies.

21. The completion of general and technical upper secondary education is confirmed by the upper secondary school certificate (*baccalauréat de l'enseignement secondaire*). Pupils who earn this certificate may move on to higher education. Pupils who do not do so may either pursue vocational training or seek employment.

## B. Higher education

22. Higher education is regulated by Outline Act No. 08-06 of 23 February 2008, which amends and updates Act No. 99-05 of 4 April 1999. Under the Act, higher education is divided into three levels. The first culminates in a bachelor's degree. It is open to applicants who have received the upper secondary school certificate and is intended to allow students to acquire, deepen and diversify their knowledge in disciplines leading to various lines of work. The second level comprises academic training and career-oriented training courses and culminates in a master's degree. The third level, which is research-based, leads to a doctorate. Higher education also provides in-service and advanced training. Furthermore, under Act No. 99-05, first and

second-level higher education may be provided by private establishments. However, there are no private universities in Algeria as yet.

23. The Special Rapporteur notes with satisfaction that higher education is free in Algeria, with minimal registration, meal and transport fees. Moreover, according to the Government, nearly half of all students are guaranteed a spot in university residence. The Special Rapporteur welcomes this development. He commends the Government for the continuing education offered by some universities to persons who have not followed a traditional path, including young persons who have not earned a secondary school certificate.

24. According to the information received, Algeria has a student population of 1,330,000 out of 38 million inhabitants. Higher educational institutions nationwide number 98 and consist of universities, university centres, national institutes and *grandes écoles*. Algeria has 47 universities, which have been established in most *wilayas*, and 10 university centres. Under Act No. 99-05, university centres are higher educational institutions that are set to become universities, in line with a number of educational and scientific criteria. The Special Rapporteur commends the Government for its efforts in providing higher education infrastructures. He urges the Government to address a decline of standards at universities which was reported to him during his visit.

## C. Vocational education and training

25. Vocational education and training in Algeria are governed by Act No. 0807 of 23 February 2008, establishing the Outline Act on vocational training and education. Under the Act, the vocational training and education provided by the State consists of basic vocational training, including apprenticeships and in-service training as well as formal education (art. 2). A set of regulations governs this educational sector in Algeria. These include: (a) Executive Decree No. 08-294 of 20 September 2008, instituting lower- and higher-level vocational training diplomas (*diplôme d'enseignement professionnel du premier degré* and *diplôme d'enseignement professionnel du second degré*); (b) Executive Decree No. 08-293 of 20 September 2008, introducing model regulations for vocational education institutes; and (c) Executive Decree No. 08-295 of 20 September 2008, establishing vocational training and apprenticeship centres.

26. Formal vocational education refers to all courses of instruction, both academic and skills-oriented, provided after completion of the compulsory course of study. It is intended for pupils who, having finished their compulsory schooling and advanced to the post-compulsory level, have chosen this educational option, as well as for pupils redirected from general and technical upper secondary education. It aims to provide pupils with training in one or more trades. Formal vocational education includes science and technology courses that lead to certification, as well as in-service training that aims to develop skills that can only be acquired in the workplace. According to the Government, in 2014, 1,165 pupils were enrolled in such courses.

27. Basic vocational training includes pre-service and in-service vocational training and may lead to a diploma or skills certification. Pre-service vocational training is for pupils who graduate from the national educational system (primary, lower secondary and upper secondary schools), as well as young persons and adults who are literate and housewives who would like to undergo short-term training. It is designed to provide basic qualifications to anyone seeking training and to develop practical skills and the specific knowledge required for trades. There are three forms of pre-service training: distance education; on-site training, which leads to a diploma or certification and runs full time in a vocational training centre; and apprenticeships for young

persons aged 15 to 35, alternating between a training centre and the host workplace. According to the Government, in 2014, there were 254,432 apprentices. In-service vocational training, for its part, is generally characterized by the fact that it extends over a short period (10 to 20 days) and focuses on providing know-how to adult workers. This training can be done both off-site and onsite.

28. Basic vocational training and formal vocational education both lead to certificates and diplomas issued by the Ministry of Vocational Training and Education. There are five levels of certification: specialized vocational training (*certificat de formation professionnelle spécialisé*); vocational aptitude (*certificat d'aptitude professionnelle*); vocational expertise (*certificat de maîtrise professionnelle*); technical aptitude (*brevet de technicien*); and technical expertise (*brevet de technicien supérieur*).

29. As to formal vocational education, which is divided into two two-year cycles, the first cycle leads to a basic vocational studies diploma (*diplôme d'enseignement professionnel du 1er degré*) and the second, to a higher vocational studies diploma (*diplôme d'enseignement professionnel du 2e degré*).

## V. Achievements and progress made

30. Since independence, Algeria has made education a top priority and is moving towards its general democratization in order to guarantee access to education, which constitutes a fundamental right. As a result, significant progress has been made in upholding the right to education. The Special Rapporteur welcomes these positive developments and encourages the Government to continue its efforts and to consolidate the gains made in this area.

### A. Educational policies and strategies in Algeria

31. The Special Rapporteur noted with satisfaction during his visit that education remains a strategic priority in Algerian governmental policy. In 2003, the Government carried out a reform of the education system to improve the quality of education. This reform was characterized by overhauling teaching methods, improving the quality of teaching staff and restructuring the school curriculum. The new teaching methods involve participatory and interactive lessons that engage the pupil. The traditional model of teaching, based on the transmission of knowledge that the pupil memorizes and reproduces during tests, is being replaced by a model of teaching in which pupils are actively involved in the learning process.

32. A number of policies and programmes designed to guarantee and improve the right to education have been developed. The Special Rapporteur notes with interest the 2010–2014 five-year development programme, which includes national education, higher education and vocational training as an integral component of human development. He also welcomes the adoption, in May 2014, of the Government's plan of action to implement the programme of the President of the Republic, which follows on from the education reform already launched by the Government. The plan of action confirms the Government's commitment to improving the quality of the national education system in order to meet the country's needs, particularly with respect to high-quality technical and vocational training. The implementation of the 2007–2016 national literacy strategy is another positive development that the Special Rapporteur would like to highlight.

## B. Funding for education

33. Algeria is among the countries that allocate a significant share of the national budget to education. Under the 2010–2014 five-year development programme, national education, higher education and vocational training have seen their budgetary spending double every five years, rising from 225.5 billion Algerian dinars in 2000 to 403.3 billion dinars in 2005 and to over 1,100 billion dinars in 2010. In 2013, the national education budget was 7 per cent of gross domestic product, or 21.7 per cent of the operating budget. According to the Government, in 2014, national education accounted for 16 per cent of the national budget, making it second only to national defence in terms of the budgetary priorities.

34. According to the information gathered by the Government, the State pays for all staffing costs in the education sector, for services in all educational, training and support establishments, and it also covers investment expenditures, which include construction, equipment and maintenance. The operating budget includes: (a) staffing costs; (b) the operation of central administration services and decentralized services; (c) the operating expenses of education, training and support establishments; (d) educational and cultural activities for pupils; and (e) social welfare measures such as funding for school canteens, scholarships, free textbooks, school health care and special grants for pupils from needy families. According to the Government, the annual allocations for the operating budget for the period 2011–2015 have continued to increase: in 2015, these totalled 746.7 billion dinars. The operating grants for various fiscal years allocated to the Ministry of National Education have never suffered from budgetary restrictions, due to the priority given to education by the Algerian State and enshrined in the basic texts. Moreover, and in conjunction with the operating budget, an equipment and investment budget is allocated to the Ministry of National Education with a view to improving indicators of the quality of school education. As to the equipment budget of the Ministry of National Education, data from the Government show a budget package of 543 billion dinars under the 2010–2014 five-year programme mentioned above.

## C. Access to education

35. The Special Rapporteur commends the Government on the excellent rates of school enrolment. According to the statistics provided by the Government, the school enrolment rate for children aged 6 rose from 93.24 per cent in 2000 to 98.5 per cent in 2014. The school enrolment rate for pupils aged 6 to 16 rose from 85.8 per cent in 2000 to 96.1 per cent in 2014. It should be noted that the national average for the number of students per class is 29 pupils in primary school and 32 in lower secondary school. Only 4.86 per cent of classes in primary school and 6.26 per cent of classes in lower secondary school are overcrowded (have more than 41 pupils), most of these being located in recently constructed urban areas.

36. Algeria has also made considerable progress on gender parity in education, it having been largely achieved at educational levels. Currently, parity has nearly been achieved in primary and lower secondary education. In upper secondary education, girls outnumber boys. In 2014, the proportion of girls enrolled reached 47.67 per cent in primary, 48.86 per cent in lower secondary and 58.22 per cent in upper secondary education. More and more girls are going to school, not to mention the fact that they perform better than boys. As a result, at the university level, girls are in the majority and get better grades than boys. Women are also in the majority among primary schoolteachers. It is also noteworthy that, in accordance with its international and constitutional obligations, the Algerian Government provides free education at all

levels, including higher education. These growing efforts have allowed the country to move towards the achievement of education for all and the Millennium Development Goals. The level of achievement of the Education for All goals and the Millennium Development Goals, particularly goal 2 on universal primary education and goal 3 on gender parity in access to education, is very high in Algeria.

37. The Special Rapporteur welcomes the efforts made by the Government on infrastructure. He notes with satisfaction that overall, the educational infrastructure has expanded considerably. According to government data, in 2014, aggregate infrastructure consisted of 25,858 schools, including 18,458 primary schools, 5,253 lower secondary schools and 2,147 upper secondary schools.

38. A series of measures are being implemented by the Government in support of education. The Special Rapporteur notes with approval that since the start of the 2000/01 school year, the State has been providing the most needy pupils with education grants. This annual financial aid increased from 2,000 to 3,000 dinars in 2008; approximately 3 million pupils receive it. Similarly, more than 4 million pupils receive free textbooks each year, roughly half of the total number of pupils enrolled in primary and secondary education. The network of school canteens has also expanded, increasing from 11,802 during the 2007/08 school year to 14,739 during the 2013/14 school year providing meals for about 3.3 million pupils, or 85 per cent of all primary school pupils. During his visit, the Special Rapporteur inaugurated a canteen in the wilaya of Tipaza, at a primary school in the rural area of Menaceur. The implementation of school health measures is also welcomed by the Special Rapporteur, as is the gradual introduction of school transportation, particularly for pupils living in remote or isolated areas.

## D. Literacy

39. The Special Rapporteur welcomes the efforts made by the Government to combat illiteracy, including through the work of the National Office for Adult Literacy and Education. During his visit, the Special Rapporteur was able to meet with officials from this National Office in Algiers. He appreciates the work of this public institution and welcomes the adoption by the Government of the 2007–2016 national literacy strategy which, by linking literacy to vocational training, has significantly lowered the illiteracy rate. The illiteracy rate for persons aged 15 to 24, which was 13.43 per cent in 1998, has decreased significantly, dropping to 3.52 per cent in 2014. With regard to persons over the age of 15, the illiteracy rate was 15.15 per cent in 2014.

40. Civil society associations also play an important role in the fight against illiteracy: they have contributed greatly to reducing the illiteracy rate. The Special Rapporteur appreciates the significant contribution made by the Algerian Literacy Association, a non-governmental organization that promotes literacy in Algeria and has more than 130,000 volunteers. Since its inception in 1990, this association has helped more than 1,681,000 persons learn how to read and write. It has also a literacy, training and employment programme for women, which has helped more than 23,000 women aged 18 to 35 learn how to read and write, trained them and made them more autonomous. The association was awarded the United Nations Educational, Scientific and Cultural Organization (UNESCO) International Literacy Prize in 1997. The Special Rapporteur encourages all civil society associations to continue their efforts to promote literacy and calls on the authorities to support them.

41. The vocational training and education sector is also working to reduce the illiteracy rate through a programme to raise qualifications through literacy that was set up jointly by the National Office for Literacy and Education and the Algerian Literacy Association.

### E. Enjoyment of the right to education by persons in detention

42. The Special Rapporteur welcomes the Government's efforts to promote the enjoyment by persons in detention of their right to education. The Government provides persons in detention with textbooks and learning materials. The type of education provided in prisons is similar to that given in ordinary schools, and teachers adapt their classes to the prisoners' situation. Thus, detainees enjoy their fundamental right to education and apprenticeship, despite their adverse circumstances. Detainees undergo rehabilitation programmes aimed at improving their intellectual ability and developing their skills and aptitudes with a view to social integration. These activities are carried out in coordination with the relevant ministries and civil society.

43. The Government shared some noteworthy data and information on this subject with the Special Rapporteur. As a result of this policy on the right to education, detainees' exam results have improved. By way of example, the number of detainees enrolled in general education increased from 3,165 in 2003 to 39,943 in 2015. Furthermore, the pass rate in the secondary school leaving exam (*baccalauréat*) is now more than 51 per cent, while for middle school, it equals 69 per cent. More than 259,514 detainees are enrolled in vocational education or training. Detainees can obtain diplomas just like anybody else. Furthermore, as part of prison policy, detainees are encouraged to pursue their studies even while they are serving sentences and can have their sentences commuted if they succeed in acquiring new knowledge and skills.

## VI. Key challenges

### A. Quality of education

44. Quality remains the biggest challenge in the area of education in Algeria. The Government needs to act urgently to meet the need for improved quality in education at all levels and in all regions, particularly in areas marked by deprivation and in the south. This requires an upgrade of the relevance and quality of education. The low levels of learning among children should be improved by diversifying approaches to learning and strengthening the capacity of inspectors and, most importantly, of teachers. Overcrowding in schools continues to be a problem in Algeria: it is not conducive to the provision of high-quality education for children and it makes teachers' jobs more difficult. The Government should adopt the necessary measures to remedy this situation.

45. The selection process for teachers should be improved and they should be better trained to impart knowledge, values and skills in order to improve the quality of education, taking account of the "four pillars of learning" — learning to know, learning to do, learning to live together and learning to be — which is a global approach to quality education. This of course includes the values of human rights and democratic citizenship as well as of humanist values that are reflected in the 2008 Education Act. These values should be more effectively incorporated into the education system in order to reinforce the humanistic vocation of education. These values are all the more important in the light of concerns about the resurgence of violence among young people that were expressed during the Special Rapporteur's visit. The promotion of dialogue and of the values of tolerance, understanding and mutual respect throughout the entire country is therefore essential. Parents also have a key role to play in this regard.

46. According to the National Commission for the Promotion and Protection of Human Rights, the various reforms undertaken, particularly in the 2000s, were carried

out without any specific evaluation of the deficiencies of the education system and without establishing quality and performance indicators for the effective management of the system. Indicators are indispensable for improving the quality of education provided to students, as they enable better monitoring and evaluation of the progress made in the realization of the right to education.

## B. Legal framework for education funding

47. Although the proportion of the national budget allocated to education is over 20 per cent, Algeria does not have a legal framework for national spending in the field of education. The Special Rapporteur recommends preparing such a legal framework in order to set a minimum percentage of the national budget to be allocated to education. In addition to the operating budget, this framework should also include a budget for education quality.

## C. Vocational education and training

48. During his visit, the Special Rapporteur noted the Government's interest, at the highest level, in improving and strengthening vocational education and training. Given the limited use made of the pedagogical resources of vocational education facilities, this sector warrants special attention by the Government.

49. The sector needs to be strengthened and its social and cultural value enhanced, including through campaigns to improve the social prestige and status of technical and vocational education. Vocational education and training should be incorporated into the general education system at an even higher level. During their training, learners should be given the opportunity to experience working life through work placement in a company. Cooperation with companies needs to be strengthened and institutionalized in order to meet the needs of the economy and the country's development objectives. Based on the concept of corporate social responsibility, the modalities of this public-private partnership should be clarified, and a more appropriate legal framework for technical and vocational training should be created.

## D. Universal access to education and equality of opportunity

### 1. School dropout rate

50. The Special Rapporteur commends the Government on the good results achieved in terms of access to education. However, challenges remain. The Special Rapporteur is concerned by the number of children aged 6 to 16 years old who are not in school. The Government also needs to address the problem of students dropping out of school, which affects boys in particular. Likewise, high rates of grade repetition remain a problem. According to information from 2013, more than 1 million students across all three cycles were repeating a year, at a rate of 6.8 per cent at primary level, 20.1 per cent in middle school and 15 per cent at secondary level.

### 2. Disparities

51. Admission rates are lowest in the western and central Hauts Plateaux regions, in the poorest households and in households where the mother is illiterate. Girls living in rural areas have particular difficulties in attending school because of distance and lack of transport.

52. In order to alleviate these disparities, the vocational training and education sector has opened special units and set up telecentres in rural and isolated areas in order to bring vocational training closer to young girls living in these areas.

### 3. Universal provision of preschool education

53. The information collected by the Special Rapporteur indicates that access to preschool education for all Algerian children, particularly physical access for all children to preschool education facilities, is not yet fully available. During the Special Rapporteur's visit, the Ministry of Education indicated that approximately 60 per cent of children had access to preschool education. The Government is engaged in a process to make preschool education generally available, which should result in the preparation of a national strategy for universal preschool education in 2017.

### 4. Children with disabilities

54. According to the information collected, access to education for children with disabilities is difficult. However, cognizant that schooling is essential to the social integration of persons with disabilities, the Government is making considerable efforts in this area. Solutions need to be found as a matter of urgency to ensure that the right to education is recognized and exercised by all, without distinction, exclusion or restriction based on sex, financial situation, region of origin, disability, social status or any other consideration.

55. In this area, the vocational training and education sector is contributing to the Government's efforts by providing training and qualifications to persons with disabilities, both in specialized establishments and in ordinary training centres.

### 5. Teaching of Tamazight

56. The Government took steps towards promoting and teaching Tamazight (the Amazigh language) in response to the community's demands in the 1990s. On 22 April 2002, the Amazigh language was declared a national language in the Constitution (art. 3 bis). In 1995, the High Commission on Amazighness, reporting to the Office of the President of the Republic, was established by Presidential Decree No. 147-95, dated 27 May 1995. This body's main tasks are to revive and promote Tamazight and introduce it into the education system. During his visit, the Special Rapporteur met with the members of the Commission. He commends the Commission on its work and notes with satisfaction the activities it undertakes, particularly the publication of textbooks in Tamazight and the continuous training of teachers in this language. Tamazight classes were introduced in schools during the 1995/96 academic year. Tamazight is not a language of instruction but is taught in primary, middle and secondary schools. Teachers of the Amazigh language are mainly trained by the departments of Amazigh language and culture of the universities of Tizi Ouzou, Bejaia and Bouira, which are the main providers of teacher training for Tamazight.

57. The Special Rapporteur is concerned by reports of a regression in the teaching of Tamazight in Algeria. The number of regions in which the Amazigh language is taught has declined. According to the High Commission on Amazighness, Tamazight language classes, which were introduced in 16 *wilayas*, are now provided in only 10 *wilayas*. Furthermore, although Tamazight is a national language, it is still not compulsory to teach it. However, in terms of numbers, there has been a marked increase in the number of students who have received Tamazight language instruction, from 53,587 in 1999/2000 to 200,333 in 2014/15, even though fewer *wilayas* nationwide are offering these classes. The Ministry of Education and the High Commission on Amazighness have put in place a strategy for the development of Tamazight education at the national level.

# VII. Conclusions and recommendations

58. **Since independence, Algeria has made education one of its main priorities and has undertaken a general process of democratization in education in order to guarantee access to education as a fundamental right. Today, education remains a priority under Algerian government policy.**

59. **In Algeria, the right to education is enshrined in the Constitution and covered in laws and decrees concerning, for example, free and compulsory basic education, vocational and technical education and higher education. Algeria has also made international commitments by ratifying international instruments concerning the right to education. In accordance with its international and constitutional obligations, the Algerian Government provides free education at all levels, including higher education.**

60. **The Special Rapporteur welcomes the Algerian Government's efforts to realize the right to education, in terms both of school and university infrastructure and in the level of resources allocated to this sector, including scholarships for pupils and students, free textbooks, transport services, etc. The rate of enrolment at primary level is excellent, exceeding 97 per cent. Parity in education access for boys and girls has largely been achieved at all levels. In fact, at university level, girls are in the majority and obtain better results than boys. Women are also in the majority among primary schoolteachers.**

61. **There are many noteworthy aspects in the implementation of the right to education in Algeria. The Government's educational policies and programmes have yielded positive results: the level of attainment of the Education for All goals and the Millennium Development Goals, particularly goal 2 concerning universal primary education and goal 3 on gender equality in access to education, is very high in Algeria. The infrastructure for providing education and training is in place. What is more, considerable budgetary resources are allocated to education in Algeria: education ranks second in the list of national budgetary priorities after national defence, having 16 per cent of the national budget in 2014. The process of reform launched in 2003 was designed to enhance the quality of education by reviewing educational methods, improving the quality of pedagogical supervision and restructuring the school curriculum. The Special Rapporteur commends the State on all of these successes.**

62. **However, Algeria faces a number of challenges in the implementation of the right to education, chief among them quality. The general standard of education needs to be raised as a matter of urgency. Problems facing the education system include school dropout, a high rate of grade repetition and classroom overcrowding. Enrolment rates are sometimes lower in regions, in rural areas and in the poorest households. Ensuring equal opportunities in access to education for children with disabilities is still a challenge for the Government, as is a decline in the teaching of Tamazight. Algeria lacks a legal framework to guarantee that a minimum proportion of the national budget is allocated to education. Lastly, the challenge of strengthening and enhancing the social and cultural value of vocational education and training is particularly acute. The Special Rapporteur makes the following recommendations to Algeria with a view to improving the implementation of the right to education in that country.**

63. **The Special Rapporteur encourages the Government to consider signing and ratifying the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and to make the right to education enforceable in the domestic legal order.**

64. **The Algerian Government must address the imperative of ensuring quality in education as a matter of urgency. The provision of quality education is at the heart of the commitments under Education for All. Consequently, the quality and performance of the education system at all levels need to be improved and the education provided must be made relevant. Students' performance and knowledge should be regularly evaluated. To that end, a national system for the evaluation and monitoring of the skills actually acquired by students should be set up. As the recruitment and ongoing training of qualified teachers is one of the fundamental elements of quality education, it is important for the Government to improve the selection and training of teachers. The Government should also adopt quality standards and criteria for the education system as a whole. With this in mind, the Special Rapporteur recommends developing indicators and setting up a more advanced and more reliable data collection and processing system in order to enable appropriate monitoring and evaluation of the education system. He also recommends that training be provided, with the support of specialized United Nations agencies such as UNESCO and the United Nations Children's Fund (UNICEF), to officials from the Ministry of Education responsible for statistics. Lastly, the involved stakeholders, including teachers, parents and students, in the education system is necessary in order to ensure the provision of quality education.**

65. **As a source of human development and social progress, education is a public good that deserves long-term investment at the national level. This has been demonstrated in Algeria, a country that has made a huge investment in education nationwide. A legal framework establishing a minimum proportion of the national budget to be allocated to education should be developed, particularly as Algeria has a broad legal framework covering the various dimensions of the right to education. In addition to the operational budget, the framework should provide for an investment budget for educational quality.**

66. **With regard to technical and vocational education, the Special Rapporteur recommends incorporating vocational training into general education and enhancing the value placed on vocational education and training and the job opportunities they open up in order to improve the image of this type of education in society, including through awareness-raising campaigns. This would without doubt help to improve the profile of students at whom this training is aimed. Particular attention should be paid to institutionalized collaboration between companies and technical and vocational education institutions. Such collaboration is essential to ensure that demand for skills can be met and that vocational education and training can effectively contribute to the country's economy and to its development.**

67. **With regard to the problem of school dropout, the Special Rapporteur urges the Government to intensify its efforts to bring into the school system all the children who have left it by ensuring that all children of the mandatory school-going age of 6 are in school, taking social and educational measures to keep all children up to the age of 16 in school and making preschool education universally available. The Government should undertake an evaluation of school dropout to identify its causes. Consequently, the Special Rapporteur recommends instituting a system to compile information on the children not in the school system and develop profiles for them.**

68. **The Special Rapporteur encourages the Government to adopt an intersectoral national strategy on early childhood development by the end of 2015, in close cooperation with all relevant national and international partners, including UNICEF. It is imperative that the problem of physical access to**

**preschool facilities for all Algerian children be fully incorporated into the strategy.**

69. **The Special Rapporteur encourages the Government to allocate more human and financial resources in order to halt the decline in the teaching of Tamazight, a national language, and to ensure at all levels of the education system and receives fairer treatment at the national level. He recommends standardizing the way Tamazight is taught at all levels of education: particular attention should be paid to the teaching of Tamazight in preschool. The planned preschool development strategy should therefore fully incorporate the teaching and learning of Tamazight. The Special Rapporteur encourages the Government to implement the recommendations on the Amazigh language of the Committee on the Elimination of Racial Discrimination (see CERD/C/DZA/CO/15-19, paras. 14 and 16) and of the Committee on Economic, Social and Cultural Rights (see E/C.12/DZA/CO/4, para. 22).**

70. **The Special Rapporteur commends the Government on its commitment to improving the quality of the national education system in order to meet the country's needs, including in relation to training excellence in technical and vocational fields, pursuant to the Government's action plan for the implementation of the programme of the President of the Republic, adopted in May 2014. While continuing to carry out this plan of action, Algeria should modernize its national legislation in the area of technical and vocational education, for example. It might also develop a legal framework on investment in the field of education and a new law on education quality based on experience acquired to date and looking to the future. The Special Rapporteur considers, in particular, that it is important to draft a law to replace the Executive Decree of 24 March 2004 setting out the conditions for the establishment, opening and oversight of private education establishments, with the key objective being to regulate private education and maintain education as a public good.**

71. **Lastly, the Special Rapporteur strongly encourages the Algerian Government to take account of the central role of the right to education during the discussions on the post-2015 development programme, particularly the role of education in combating poverty, which is the programme's priority objective. In this context, Algeria should mobilize all stakeholders to ensure that the priorities of the African continent resonate strongly in the international community. Algeria could play a key role in the African Union and the United Nations.**